

A34921 PCT USA - 066340.0140
PATENTREMARKSSummary of the Office Action

The drawings have been objected to under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims.

The amendment to the specification filed December 21, 2005 is objected to under 35 U.S.C. 132(a) because the Examiner contends that it introduces new matter.

Claims 17, 18 and 21-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. These claims are also rejected under 35 U.S.C. 103(a) as being obvious from Parodi et al. U.S. Patent No. 5,651,823 ("Parodi") in view of Yonemizu et al. U.S. Patent No. 5,958,145 ("Yonemizu").

Applicant's Reply

Applicant has amended claim 17 and cancelled claims 19, 23, 24, 27, and 29, without prejudice. Applicant believes that with the cancellation of the latter claims, the 37 CFR 1.83(a) objections to the drawings are moot.

Applicant respectfully traverses the 35 U.S.C. 132(a) new matter objections, and the 35 U.S.C. §§ 112 and 103(a) rejections.

35 U.S.C. 132(a) new matter objection

Applicant, for brevity here, incorporates by reference the arguments presented in the previous Reply to support the amended language "about a linear axis (e.g., substantially parallel to the rails)" in ¶ [0021] of the specification.

In the Office Action, the Examiner correctly notes that MPEP 2515 (and case law) states as a rule "absent an explicit indication that the drawings are to scale the drawings cannot be used to teach specific dimensions, proportions or ratios."

A34921 PCT USA - 066340.0140
PATENT

However, applicant notes that MPEP 2515 also provides that "the description of the article pictured can be relied on, in combination with the drawings, for what they would reasonably teach one of ordinary skill in the art," citing *In re Wright*, 569 F.2d 1124, 193 USPQ 332 (CCPA 1977). In this case, the specification and FIGS. 1 and 2 teach one of ordinary skill in the art, the qualification: "about a linear axis (e.g., substantially parallel to the rails)."

Applicants also respectfully submit that the MPEP 2515 rule cited by the Examiner properly applies only to "size" comparisons — i.e., comparisons of linear dimensions or sizes of drawing elements or objects, with prior art references. The "size" comparisons rule does not apply to comparisons of relative orientations or positions of the drawing elements or objects in a drawing in an application itself.

With reference to relative orientations or positions of the drawing elements or objects in a drawing itself, 37 CFR §1.84 (k) (3) states that "Elements of the same view must be in proportion to each other . . ."

In this application, FIGS. 1 and 2 comply with 37 CFR 1.84 (h) and (k). The Examiner has previously correctly noted that FIGS. 1 [and 2] show perspective views of the invention. (See Advisory Action dated 12/02/2005). Applicants submit that in this application, the relative orientations or positions of the drawing elements or objects of the invention shown in FIGS 1 and 2 are fixed according to the draftsman's "view" of the invention (as is consistent with the 37 CFR § 1.84 (k) (3) rule that "Elements of the same view must be in proportion to each other.")

Thus, FIG. 1 explicitly shows the qualification "about a linear axis (e.g., substantially parallel to the rails)" to one of ordinary skill in the art and is not new matter.

A34921 PCT USA - 066340.0140
PATENT

In view of the foregoing, applicants request withdrawal of the 35 U.S.C. 132(a) new matter objection.

However, in case the Examiner is not convinced and maintains the new matter objection, applicants will, without prejudice, delete the offending qualification upon indication of allowable subject matter in the claims. In case of such indication, to expedite prosecution, applicants will request a kind Examiner's Amendment to ¶ [0021] of the specification to delete the offending qualification.

35 U.S.C. § 112 rejection.

Applicants have amended claims 17 and 22 to address the indefinite terms that were kindly noted by the Examiner. Applicants submit that the amended claims now conform to all § 112 (requirements).

35 U.S.C. § 103(a) rejection.

Applicants incorporate by reference herein the previously-presented Remarks addressing the prior art rejections and the cited references — Parodi and Yonemizu. For brevity, the previously-presented Remarks (e.g., Reply dated April 21, 2005) are not reproduced herein, but applicants respectfully request that the Examiner should kindly consider them as they are also applicable to the presently amended claims.

Here, applicants further note that amended claim 17 calls for a wafer-handling apparatus for placing wafers from a wafer-holding cassette into a wafer processing vacuum chamber having cooling and heating plates. The wafer-handling apparatus, according to claim 17, includes (1) an external handling device . . . “disposed in front of the wafer processing vacuum chamber,” and (2) an internal handling device “disposed within said wafer processing vacuum chamber.” The internal handling “is provided with a transverse guide”, and “at least one

A34921 PCT USA - 066340.0140
PATENT

fork arranged in a mount on said transverse guide." Further, the external handling device and the vacuum chamber "are surrounded by an enclosure."

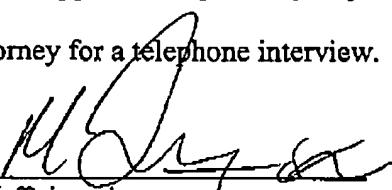
Neither Parodi nor Yonemuzi individually disclose (1) an external handling device disposed "in front of the wafer processing vacuum chamber," where both "are surrounded by an enclosure." Similarly, neither Parodi nor Yonemuzi individually disclose (2) an internal handling device, which has "at least one fork arranged in a mount on a transverse guide", disposed "within the vacuum chamber."

Applicants therefore respectfully submit that claim 17 is patentable over the cited references — Parodi and Yonemuzi, irrespective of whether the two references are viewed individually or in combination.

Applicant respectfully submits that this application is now in condition for allowance. Reconsideration and prompt allowance of which are requested.

If there are any remaining issues to be resolved, applicant respectfully requests that the Examiner should kindly contact the undersigned attorney for a telephone interview.

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